

ARIZONA PRESERVE INITIATIVE (API)

STATUTORY PROVISIONS AND RULES:

A.R.S. § 37-312, Subsection H, contains the following 8 provisions which must be considered by the State Land Commissioner before he takes action on the classification of certain Trust lands as suitable for conservation purposes:

1. The Commissioner shall consult with the governing body of any affected city, town or county, and the local planning authorities.
2. The Commissioner shall consider recommendations of the Conservation Advisory Committee (CAC).
3. The Commissioner shall consider all evidence and testimony that are submitted at the hearing under A.R.S. § 37-312, Subsection F.
4. The Commissioner shall consider the physical and economic impacts that the reclassification would have on other lands owned or controlled by the current lessee and the physical and economic impacts on the local community.
5. The Commissioner shall consider the existence of any holding lease on the lands.
6. The Commissioner shall consider the existence of any planning permit issued by the Commissioner, under the Urban Lands Act.
7. The Commissioner shall consider the amount of progress on any development plans being completed for the lands under the Urban Lands Act.
8. The Commissioner shall evaluate the mineral potential of the land.

State Land Department Rules R12-5-2502.Reclassification: The Commissioner and the Conservation Advisory Committee may consider any or all of the following criteria in evaluating whether the nominated land should be reclassified as suitable for conservation purposes:

1. Open space
2. Unique scenic beauty
3. Wildlife and vegetation
4. Cultural resources
5. Wildlife habitat
6. Other
 - a. **benefit to the Trust**
 - b. watershed integrity
 - c. flood plain management
 - d. surface water and groundwater
 - e. long-term viability of the land for conservation management
 - f. local, regional or other planning considerations
 - g. recreation
 - h. accessibility
 - i. scientific education
 - j. types of multiple use
 - k. resource production preservation
 - l. relationship to other state trust lands
 - m. pre-existing protections
 - n. tourism
 - o. geologic and topographic features

